

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY CHANDLER SPRADLIN,

Plaintiff,

v.

PIERCE COUNTY JAIL, *et al*,

Defendants.

Case No. C07-5236FDB-KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the Court on plaintiff's filing of an application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.

On May 9, 2007, the Clerk received plaintiff's complaint and application to proceed *in forma pauperis*. (Dkt. #1). On May 15, 2007, the Clerk sent plaintiff a letter informing him that he must provide a copy of his prison trust account statement showing transactions for the past six months by June 14, 2007, or this matter could be subject to dismissal. (Dkt. #2). Pursuant to 28 U.S.C. § 1915(a)(2):

A prisoner seeking to bring a civil action or appeal a judgment in a civil action or

1 proceeding without prepayment of fees or security therefor . . . shall submit a certified
2 copy of the trust fund account statement (or institutional equivalent) for the prisoner for
3 the 6-month period immediately preceding the filing of the complaint or notice of appeal,
obtained from the appropriate official of each prison at which the prisoner is or was
confined.

4 Plaintiff thus was required to submit a statement showing the balance and activity of his account for the
5 six-month period immediately preceding the filing of his complaint. As noted by the Clerk, however, he
6 did not do so, and to date still has not done so.

7 Accordingly, the Court orders the following:

- 8 (1) Plaintiff shall seek to cure the above deficiencies by filing **no later than August 6, 2007**, a
9 copy of his prison trust account statement pursuant to 28 U.S.C. § 1915(a)(2) showing the
10 balance and activity of his account(s) for the six-month period immediately preceding the
11 filing of his complaint.

12 **Failure to cure this deficiency by the above date shall be deemed a failure to properly**
13 **prosecute this matter and the Court will recommend dismissal of this matter.**

- 14 (2) The Clerk is directed to send a copy of this Order to plaintiff.

15 DATED this 6th day of July, 2007.

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19 Karen L. Strombom
20 United States Magistrate Judge
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